



DECLARATION FOR PATENT APPLICATION

As a below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **DNA SHUFFLING TO PRODUCE HERBICIDE SELECTIVE CROPS**

the specification of which (check one)        is attached hereto X was filed on **August 12, 1999** as Application Serial No. 09/373,333 and was amended on        (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Number	Country	Day/Month/Year Filed	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented, Pending, Abandoned
60/096,288	12 August 1998	X
60/111,146	07 December 1998	X
60/112,746	12 December 1998	X

Send Correspondence to: Maxygen, Inc.  
Intellectual Property Department  
515 Galveston Drive  
Redwood City, California 94063  
(650) 298-5300 - (650) 298-5446 (Fax)

Thereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

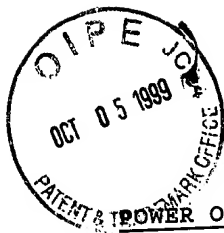
Full name of sole or first inventor Venkiteswaran Subramanian  
Inventor's signature X Venkiteswaran Subramanian Date X 9/24/99  
Residence SAN DIEGO, CALIFORNIA  
Citizenship U.S.A.  
Post Office Address 3980 Corte Mar De Hierba, San Diego, California 92130

Full name of second inventor Willem P.O. Stemmer  
Inventor's signature [Signature] Date 9-28-99  
Residence LOS GATOS, CALIFORNIA  
Citizenship THE NETHERLANDS  
Post Office Address 108 Kathy Court, Los Gatos, California 95030

Full name of third inventor Linda A. Castle  
Inventor's signature [Signature] Date 9/29/99  
Residence MOUNTAIN VIEW, CALIFORNIA  
Citizenship U.S.A.  
Post Office Address 784 Hans Avenue, Mountain View, California 94040

Full name of fourth inventor Umesh S. Muchhal  
Inventor's signature [Signature] Date 9/27/99  
Residence MOUNTAIN VIEW, CALIFORNIA  
Citizenship INDIA  
Post Office Address 1600 Villa Street, Apt. 189, Mountain View, California 94041

Full name of fifth inventor Daniel L. Siehl  
Inventor's signature [Signature] Date 27 SEP 99  
Residence MENLO PARK, CALIFORNIA  
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Post Office Address 310 Durham Street, Menlo Park, California 94025



Patent  
Atty. Docket No. 0113.004  
USSN 09/373,333

**POWER OF ATTORNEY FOR PATENT APPLICATION**

In re Patent Application of:

Inventor(s): VENKITESWARAN SUBRAMANIAN ET AL.  
Title: DNA SHUFFLING TO PRODUCE HERBICIDE SELECTIVE CROPS  
Serial No: 09/373,333  
Filed: August 12, 1999

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ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

AS ASSIGNEE OF RECORD OF THE ENTIRE INTEREST OF THE ABOVE IDENTIFIED APPLICATION,  
HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS AND AGENTS WITH FULL POWER OF  
SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT  
OFFICE CONNECTED THEREWITH:

Sharon M. Fujita	38,459	Norman J. Kruse	35,235
Joanne R. Petithory	42,995		

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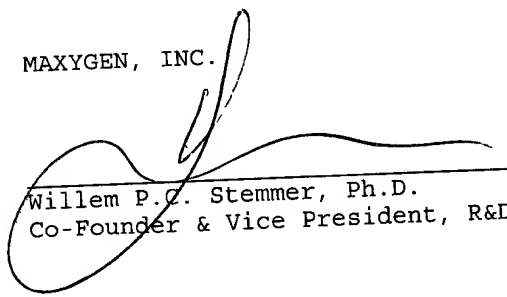
Send Correspondence to: Maxygen, Inc.  
Intellectual Property Department  
515 Galveston Drive  
Redwood City, California 94063

=====

Dated this 29 day of September, 1999

MAXYGEN, INC.

By:

  
Willem P.C. Stemmer, Ph.D.  
Co-Founder & Vice President, R&D

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

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I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

Sharon M. Fujita	38,459	Norman J. Kruse	35,235
Joanne R. Petithory	42,995	Jonathan Alan Quine	41,261
Stacy Landry	42,779		

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Full name of sole or first inventor Venkitswaran Subramanian  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence SAN DIEGO, CALIFORNIA  
Citizenship U.S.A.  
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Full name of second inventor Willem P.C. Stemmer  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence LOS GATOS, CALIFORNIA  
Citizenship THE NETHERLANDS  
Post Office Address 108 Kathy Court, Los Gatos, California 95030

Full name of third inventor Linda A. Castle  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
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Full name of fourth inventor Umesh S. Muchhal  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
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Citizenship INDIA  
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Full name of fifth inventor Daniel L. Siehl  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
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Citizenship U.S.A.  
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